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Docket No. 65340/JPW/GJG

gaw 1635
#9/K.T.
ELECTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jason Francis Conaty et al.
Serial No.: 09/887,880 Examiner: J. Epps
Filed : June 22, 2001 Group Art Unit: 1635
For : MINIRIBOZYMES ACTIVE AT LOW MAGNESIUM ION
CONCENTRATES

1185 Avenue of the Americas
New York, New York 10036
September 30, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

RESPONSE TO AUGUST 29, 2002 RESTRICTION REQUIREMENT

This is a Response to the Restriction Requirement issued August 29, 2002 in connection with the above-identified application. A response to the August 29, 2002 Restriction Requirement was due September 29, 2002. However, since September 29, 2002 falls on a Sunday, the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Monday, September 30, 2002, is considered timely under 37 C.F.R. §1.7 and this Response is being timely filed.

Claims 1-34 are pending in the subject application.

In the August 29, 2002 Restriction Requirement, the Examiner required restriction to one of the following allegedly distinct invention as follows:

- I. Claims 1-24 and 32-34, drawn to a compound of formula 1A, and compositions thereof;